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Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas & Mining

MICHAEL R. STYLER JOHN R. BAZA
Executive Director *Division Director*

September 30, 2008

David Taylor
Miracle Rock Mining and Research
400 South 200 East
P. O. Box 76
Emery, Utah 84522

Subject: Remaining Deficiencies, Miracle Rock Mining and Research, Rockland Mine, M0150040, Task 2508, Emery County, Utah

Dear Mr. Taylor:

The Division has completed a review of your July 2, 2008, response to deficiencies in the Notice of Intention to Commence Large Mining Operations for the Rockland mine. We appreciate your cooperation and patience in completing this process, but there are still a few issues that need to be resolved which are detailed in the attached review. This review also contains some recommendations for your consideration.

When the plan is technically complete, the Division will issue tentative approval, submit information about the tentative approval to the Resource Development Coordination Committee, and will advertise the tentative approval for public comment. Substantive agency or public comments will need to be addressed before final approval is issued.

The Division has reviewed the surety estimate provided in the most recent submittals and considers the amount you provided, \$130,428.61, to be adequate. This amount will need to be submitted prior to final approval.

Please review these comments and submit appropriate changes. If you have questions, please contact Leslie Hepler at 801-538-5257 or me at 801-538-5261.

Sincerely,

Paul B. Baker
Minerals Program Manager

PBB:vs
Task # 2508
Attachment: Review
cc: John Blake, SITLA
P:\GROUPS\MINERALS\WP\M015-Emery\M0150040-MiracleRock\Final\LMOreview_M0150040.doc

0002

SEVENTH REVIEW OF NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

**Miracle Rock Mining and Research
Rockland Mine
M01580040**

September 24, 2008

R647-4-106 - Operation Plan

General Operation Comments

106.1 Type of operations conducted, mining method, processing etc.

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
	Page 1 - 2	As submitted, it is not clear what geotechnical and geomechanical design data has been done on the underground workings. The Division recommends that a detailed Geotechnical Analysis and Design study is done if the operator decides to resume underground operations.	LAH	

R647-4-107 - Operation Practices

107.1 Public safety & welfare

107.1.15 Constructing berms, fences, etc. above highwalls

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
	Page 1 Para 6	As per MSHA requirements safety berms are to be at axle height of equipment in use, at all locations that equipment has access to. How is access to the area above the highwall bermed off?	LAH	

R647-4-109 - Impact Assessment

109.4 Slope stability, erosion control, air quality, safety

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
	Page 2 Para 1	As per figure 110.2, the highwall height is listed as 30 feet. The Division recommends that a detailed geotechnical analysis and design study be completed. Past performance is a good indication of future stability, but conditions can vary, including pore water pressure with seasonal fluctuation in precipitation, and material types can change as mining progresses.	LAH	
	Page 2 Para 2	It should be noted that a track hoe bucket "intended use" is not to scale highwalls ABOVE THE LEVEL of the man cab of the trackhoe.	LAH	
	Page 2 Para 2	OGM does not "Approve" the mining methods of the operator, but OGM will "Accept" mining methods proposed by the operator. It is the responsibility of the operator to follow all Local, State and Federal Regulations, which include MSHA regulations. Please make the appropriate plan modification.	LAH	

R647-4-112 – Variance

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
	omission	R647-4-112 Please note in the plan that no variances have been requested.	LAH	

R647-4-113 – Surety

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
	Bond Calc Summary	Please include bond costs assumptions.	LAH	
	"	Need acres disturbed shown on bond calculation sheet and referenced to a map.	LAH	
	-	Operator should consider concurrent reclamation practices to reduce future bond costs.	LAH	

Other

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
	Fig RM-110.1A	Cut/fill colors on the map are backwards or legend should be listed as area to be filled and area to be cut.	LAH	
	Fig SC120	Stone check dams should be considered as opposed to straw bales (also should be included in BMP section of the plan).	LAH	
	Fig 110.2-C	Please show in detail A – show max 1H:1V as reclamation contour for upper highwall post reclamation configuration.	LAH	